

Practitioner's Docket No. 2605/103



#6 D.A.C.  
\$(S).

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshio Miyata

Application No.: 10/069,439

Group No.: 1641

International Filing Date: 18 August 2000

Examiner: Not Yet Assigned

For: MEG-1 PROTEIN

Commissioner for Patents  
Washington, D.C. 20231

REQUEST THAT ERRONEOUS ESTABLISHMENT OF STATUS  
AS SMALL ENTITY BE EXCUSED  
(37 C.F.R. § 1.28(c))

RECEIVED  
DEC 11 2002  
OFFICE OF PETITIONS

FILING OF SMALL ENTITY STATEMENT

1. On February 14, 2002, a small entity assertion was filed in this application.
2. On October 25, 2002, applicant has now discovered that such status as a small entity was, in good faith, established in error.
3. Applicant hereby notifies the Office that it is not entitled to status as a small entity.
4. A \$919.00 fee has been paid by the applicant in this application as a small entity.
5. Applicant submits a check in the amount of \$919.00 to cover the filing fees for a large entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10\*

☒ with sufficient postage as first class mail.

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☐ facsimile transmitted to the Patent and Trademark Office (703) \_\_\_\_\_

Signature

Morton Chirmomas

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

12/11/2002 SLUW61 00000001 10069439

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Request that Erroneous Establishment of Status As Small Entity Be Excused--page 1 of 2

Date: December 3, 2002



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